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OFFICE OF PETITIONS

In re Application of :
Lee et al. :
Application No. 10/721,480 : DECISION GRANTING PETITION
Filed: 25 November, 2003 :
Atty Dckt No. 5649-1218 :

This is a decision in reference to the renewed petition filed on 13 April, 2005, which is treated as a petition filed under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of 25 November, 2003, rather than the currently-accorded filing date of 26 November, 2003.

The petition is granted.

Petitioners assert that the application was deposited in Express Mail Service on 25 November, 2003. In support, petitioners supplied, with the present renewed petition, a letter from the USPS, signed by Donna Mullins, Administrative Clerk for Expedited Services for the USPS, Raleigh, NC, stating that Express Mail Label No. EV318417427US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file) was mailed from the USPS Crabtree Station on 25 November, 2003. Additionally, petitioners have included a printout from the USPS's Intranet Track/Confirm database showing that the above-identified Express Mail shipment was accepted by the USPS on 25 November, 2003.

As such, the showing of record is that the correct date of deposit in Express Mail is 25 November, 2003.

In view of the above, the petition is granted. No fee is required and none has been charged.

The application is being referred to the Office of Initial Patent Examination (OIPE) for correction of the filing date to 25 November, 2003, and for issuance of a corrected Filing Receipt.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions